

Notice of Allowability	Application No.	Applicant(s)	
	10/706,071	TOMINAGA ET AL.	
	Examiner	Art Unit	
	Terrence R. Willoughby	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 5/9/2006.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 1-14 are allowed.

1. Referring to claims 1,5,9,11,13 the following is a discussion of the most pertinent prior art. Amano et al. discloses a surge arrester comprising an insulator block including a first internal electrode film, a second internal electrode film, a ground external electrode layer provided on at least one side surface of the insulator block so as to be connected with an end of the first internal electrode film; a signal external electrode layers provided on both end surfaces of the insulator block so as to be connected with both ends of the second internal electrode film. Amano et al. failed to suggest limitations that, the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which the second internal electrode film extends such that portions of the first and second internal electrode films overlap; and the discharge hole is disposed between the overlapping portions of the first and second internal electrode films in combination with the other limitations set forth each of the claims.

Kazuyoshi discloses an arrest chip type with a discharge hole located in the proximity of two internal opposing electrodes. Kazuyoshi failed to suggest limitations that, the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which the second internal electrode film extends such that portions of the first and second internal electrode films

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overlap; and the discharge hole is disposed between the overlapping portions of the first and second internal electrode films in combination with the other limitations set forth in the claimed invention furthermore, there would be no benefit, suggestion, or motivation to combine the references of the prior art to achieve the claimed invention.

Referring to claims 3 and 7 both of the prior art references mentioned above in claim 3 failed to disclose " the first internal electrode film extends in a longitudinal direction that is substantially perpendicular to a longitudinal direction in which each of the plurality of second internal electrode film extends such that portions of the first and second internal electrode films overlap; and the at least one discharge hole is disposed between the at least one of the overlapping portions of the first and the plurality of second internal electrode films" in combination with the other limitations set forth each of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Willoughby whose telephone number is 571-272-2725. The examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/15/06
TRW



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800